



Dkt. 54205-A-PCT-US/JPW/JRM

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John F. O'Connor et al.
Serial No. : 09/630,215 Examiner: Gabel, Gailene
Filed : August 1, 2000 Group Art Unit: 1641
For : METHODS FOR PREDICTING PREGNANCY OUTCOME IN A
SUBJECT BY hCG ASSAY

1185 Avenue of the Americas
New York, New York 10036
September 6, 2006

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION REGARDING INCORRECT FEES
AND PAYING FEE DEFICIENCIES**

This Communication is submitted to notify the United States Patent and Trademark Office of the payment of incorrect fees submitted in error and without deceptive intent, and to correct such errors by paying the fee deficiencies.

Specifically, the above-identified application is assigned to The Trustees of Columbia University in the City of New York, which qualifies as a small entity, and is licensed to an entity that does not qualify as a small entity. On August 1, 2000 applicants filed the subject application and correctly paid the filing fee of one thousand, two hundred and thirty dollars (\$1,230.00) at the large entity rate. Applicants then paid all subsequent fees for the subject application at the large entity rate, with the exception of a Petition for a One-Month Extension of Time on September 16, 2002, a Request for Continued Examination on March 17, 2003, a Petition for a Three-Month Extension of Time on May 16, 2005, a Notice of Appeal on May 16, 2005, a Request for

09/13/2006 AWONDAF1 00000096 09630215

01 FC:1801	790.00 OP
02 FC:1801	790.00 OP
03 FC:1401	500.00 OP
04 FC:1251	120.00 OP
05 FC:1252	450.00 OP
06 FC:1253	1020.00 OP

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Continued Examination on September 19, 2005 and a Petition for Two-Month Extension of Time on September 19, 2005.

On September 16, 2002, applicants submitted an Amendment in Response to May 14, 2002 Office Action and Petition for a One-Month Extension of Time to the United States Patent and Trademark Office in connection with the subject application including a check for fifty-five dollars (\$55.00). On March 17, 2003, applicants submitted a Request for Continued Examination in connection with the subject application including a check for three hundred and seventy-five dollars (\$375.00). On May 16, 2005, applicants submitted an Amendment in Response to November 17, 2004 Final Office Action and Petition for a Three-Month Extension of Time including a check for five hundred and ten dollars (\$510.00). On May 16, 2005, applicants submitted a Notice of Appeal from the Examiner's Decision to the Board of Patent Appeals and Interferences in connection with the subject application including a check for two hundred and fifty dollars (\$250.00). On September 19, 2005, applicants submitted a Request for Continued Examination, as well as a Communication and Petition for Two-Month Extension of Time, including a check for six hundred and twenty dollars (\$620.00). Applicants paid these fees in error and without deceptive intent. To correct these errors, applicants enclose a check for the payment of the deficiencies in the amount of one thousand, eight hundred and sixty dollars (\$1,860.00). An itemization of the deficiency amount of the deficiency payment follows:

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Date fee paid	Fee	Amount paid	Current fee	Difference
September 16, 2002	Petition for a One-Month Extension of Time	\$55.00	\$120.00	\$65.00
March 17, 2003	Request for Continued Examination	\$375.00	\$790.00	\$415.00
May 16, 2005	Petition for a Three-Month Extension of Time	\$510.00	\$1,020.00	\$510.00
May 16, 2005	Notice of Appeal	\$250.00	\$500.00	\$250.00
September 19, 2005	Request for Continued Examination	\$395.00	\$790.00	\$395.00
September 19, 2005	Petition for Two-Month Extension of Time	\$225.00	\$450.00	\$225.00
TOTAL AMOUNT DUE:				<u>\$1,860.00</u>

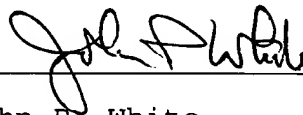
During a September 1, 2006 telephone conference between Ms. Maria Nuzzolillo of the Office of Patent Legal Administration at the United States Patent and Trademark Office and James R. Major of the undersigned attorney's office, Ms. Nuzzolillo indicated that to correct the error described above, a deficiency payment should be submitted with an accompanying paper explaining the circumstances under which the error occurred. Ms. Nuzzolillo further indicated that such a deficiency payment and paper should be addressed to Mail Stop Issue Fee.

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If a telephone interview would be of assistance in advancing consideration of the Communication, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the enclosed fee of \$1,860.00 is deemed necessary in connection with the filing of this Communication. However, if any fee is required authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.


Respectfully submitted,



John P. White
Registration No. 28,678
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

 9/6/06
John P. White Date
Reg. No. 28,678